

REMARKS

By the present amendment, claim 2 has been amended to recite that the separator is provided on an adhesive layer disposed on the other surface of the optical material so that the separator can be released from the adhesive layer, and claim 5 has been amended to recite that the separator can be released from the adhesive layer. Support for these recitations is found in the original application, in particular on page 12, lines 17-21.

Further, claim 6 has been amended to recite that the separator is provided on the adhesive layer disposed on one surface of the optical material, and the protective film comprising a protective base and an adhesive layer is disposed on the protective base so that the protective base can be released together with the adhesive layer from the optical material. Support for this recitation is found in the original application, in particular on page 13, lines 9-14.

Further, claim 17 has been amended to depend on claim 3, and claim 24 has been amended to depend on claim 17.

Also, new claims 32-35 have been added. Support for claims 32-35 is found in the original application, in particular on page 16, lines 21-23, page 6, lines 17-18, and page 7, lines 6-8, respectively.

Claims 1-10, 13, 16-20, 22-28, and 30-35 are pending in the application. Claims 1 and 5 are the only independent claims.

As a preliminary, in the Office Action, the restriction requirement and constructive election of claims 1-4 and 9-10 along with claims 5-8, 13, and 16 for examination is maintained, and the restriction requirement withdrawing claims 17-20, 22-23 and 24-26 from consideration is made final.

Present claims 17 and 24 are dependent on elected claim 1. Accordingly, it is submitted that the restriction requirement is moot, and consideration of all pending claims including claims 17-20, 22-23 and 24-26, is respectfully requested.

Next, in the Office Action, claims 1-3, 9-12, and 27-28 remain rejected under 35 U.S.C. 103(a) as obvious over WO 00/44841 to Nagahama et al. ("Nagahama") in view of US 5,972,473 to Arakawa ("Arakawa"), claim 4 remains rejected under 35 U.S.C. 103(a) as obvious over Nagahama in view of Arakawa, further in view of US 6,111,699 to Iwata et al. ("Iwata"), claims 5-7, 13-16, and 29-31 remain also rejected under 35 U.S.C. 103(a) as obvious over Nagahama in view of Arakawa, and claim 8 remains rejected under 35 U.S.C. 103(a) as obvious over Nagahama in view of Arakawa, and further in view of Iwata.

The rejection is respectfully traversed. Contrary to the interpretation set forth in the Office Action, it is submitted that the roughness range recited in the present claims is critical because it is both (i) high enough in order to avoid blocking, and (ii) low enough to enable visual inspection. This result is completely unexpected based on Arakawa, because Arakawa is completely silent as to any objective such as avoiding blocking while enabling visual inspection. Thus, Arakawa does not provide any guidance or expectation as whether or how such objective could be attained.

In order to confirm the above explanation, a Declaration under 37 C.F.R. 1.132 by Mr. Yuuji Saiki, who is the first-named inventor in the present application, is submitted with this paper. The Declaration illustrates that the roughness range recited in the present claims is critical as regard the haze property (see Table 1 and Figure 1 on page 3 of the Declaration). Specifically, the experimental report on Table 1 and the graph on Fig. 2 show that the haze value remains low for values up to 1 micron, but is close to maximum values for high roughness values. These results

corresponding to an outer surface roughness Ra of from 0.03 to 1 μm , as recited in the present claims, are completely unexpected based on Arakawa, since Arakawa is not concerned about visual inspection and optical properties, and the other cited references fail to remedy this deficiency of Arakawa. Therefore, the present claims are not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Atty. Docket No.: 020606
Customer No.: 38834
1250 Connecticut Avenue NW Suite 700
Washington, D.C. 20036
Tel: (202) 822-1100
Fax: (202) 822-1111
NES:rep